


Application **GRANTED**. By **June 7, 2024**, Defendants shall file (1) their opposition to Plaintiff's motion for summary judgment at Dkt. 156 and their cross-motion for summary judgment, with a single memorandum of law not to exceed 30 double-spaced pages, (2) Defendants' Rule 56.1 statement of material undisputed facts, not to exceed 25 double-spaced pages, and (3) Defendants' response to Plaintiff's Rule 56.1 statement. By **July 5, 2024**, pro se Plaintiff may, but is not required to, file one memorandum, not to exceed 30 double-spaced pages, that serves as both a reply in support of his motion for summary judgment and an opposition memorandum to Defendants' motion for summary judgment. Separately, Plaintiff shall respond to each assertion in Defendants' Rule 56.1 statement by admitting or denying it, and with any denial explaining the factual basis for the denial. By **July 19, 2024**, Defendants may file any reply memorandum, not to exceed 10 double-spaced pages. Notwithstanding the aforementioned page allocation, the parties may reallocate the page numbers as they deem appropriate, so long as neither side exceeds 40 pages of briefing in total.

Each side is limited to a total of 5 affidavits/declarations (each not to exceed 10 double-spaced pages) in support of or in opposition to a motion. Each side is limited to a total of 15 exhibits (each not to exceed 15 pages), including exhibits attached to an affidavit/declaration. So Ordered.

As stated in the Dkt. 157 order setting the prior briefing schedule, Plaintiff is advised that he cannot oppose Defendants' motion simply by relying on allegations in the Amended Complaint. Rather, Plaintiff must submit evidence countering the facts asserted by Defendants. For example, such evidence can take the form of sworn witness statements. Plaintiff is advised that all papers to be filed with the Court shall be sent to the Pro Se Intake Unit, United States Courthouse, 500 Pearl Street, Room 200, New York, New York 10007.

The Clerk of Court is respectfully directed to mail a copy of this Order to the pro se Plaintiff.

Dated: May 30, 2024
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

Re: Tommy Barnes v. City of New York, et al., 18-cv-7119 (LGS) (OTW)

Your Honor:

I am a Senior Counsel in the office of Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, and one of the attorneys for defendants City of New York, Sergeant Kenneth Caesar, Officer Michael Manetta and Officer Nicholas Mauceli in the above-referenced matter. Defendants write to respectfully request a brief one week extension of time, from May 31, 2024 to June 7, 2024 for defendants to file their combined motion for summary judgment and opposition to plaintiff's motion for summary judgment, and a commensurate extension of plaintiff's opposition to July 5, 2024 and defendants' reply to July 19, 2024. This is the first such request. The undersigned was not able to ascertain Plaintiff's position on this request due to Plaintiff's current incarceration.

Thank you for your consideration herein.

Respectfully submitted,

/s/
John Schemitsch

Senior Counsel

cc: VIA First Class Mail

Plaintiff *Pro se*